

EXHIBIT 3



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Transcript of Maximilian von Mettenheim, Corporate Designee

Date: March 18, 2025

Case: Partec AG, et al. -v- Microsoft Corporation

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WORLDWIDE COURT REPORTING & LITIGATION TECHNOLOGY

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1	A. I remember that this proceeding was	12:10:25
2	mentioned, but I don't know any details about that	12:10:28
3	anymore.	12:10:30
4	Q. Okay. You can close out of Exhibit 14.	12:10:37
5	Okay. Mr. von Mettenheim, what is ParTec's	12:10:46
6	relationship with Microsoft?	12:10:50
7	MR. AIKEN: Objection to scope and form.	12:10:54
8	A. I don't think I'm in the position to answer.	12:11:01
9	I kind of appreciate Microsoft personally for their	12:11:05
10	good products, but anything else, I couldn't say.	12:11:09
11	Q. So do you have a view on Microsoft as a	12:11:13
12	company?	12:11:17
13	MR. AIKEN: Objection. Form. Scope.	12:11:19
14	A. Me personally or the --	12:11:23
15	Q. Sure. What is your view on Microsoft as a	12:11:27
16	company?	12:11:31
17	MR. AIKEN: Same objections.	12:11:31
18	A. I think I just mentioned that I appreciate	12:11:33
19	their products.	12:11:35
20	Q. Do you have any responsibilities for	12:11:39
21	determining whether or not to sue a company for	12:11:41
22	alleged patent infringement?	12:11:44
23	MR. AIKEN: I would caution the witness just	12:11:47
24	to answer "yes" or "no."	12:11:49
25	A. I don't.	12:11:50

1	Q. You understand that this case involves	12:11:53
2	ParTec's allegations that Microsoft is infringing	12:11:55
3	ParTec's patents; right?	12:11:59
4	A. I do.	12:12:02
5	Q. Do you think that Microsoft infringes	12:12:04
6	ParTec's patents?	12:12:07
7	A. I am not in the position to assess that.	12:12:11
8	Q. So you do not have a view on whether	12:12:19
9	Microsoft infringes ParTec's patents; right?	12:12:21
10	A. I'm -- I'm a trained lawyer in corporate law	12:12:28
11	and commercial law, and I have no knowledge of	12:12:33
12	patent law, especially not of U.S., so I am not able	12:12:36
13	to assess this.	12:12:41
14	Q. So you have no assessment of whether	12:12:43
15	Microsoft infringes ParTec's patents; right?	12:12:45
16	MR. AIKEN: Objection. Form. And also	12:12:50
17	objection to scope on all this.	12:12:52
18	A. I think that's what I said, yes.	12:12:53
19	Q. Have you done any analysis on the validity	12:12:58
20	of ParTec's patents?	12:13:01
21	MR. AIKEN: I instruct the witness not to	12:13:04
22	answer this on the basis of privilege and work	12:13:05
23	product. You're asking an internal counsel whether	12:13:07
24	they've done any sort of invalidity investigation.	12:13:09
25	That's -- we're not gonna get into that. So the	12:13:14

1	day.	12:18:22
2	BY MS. FEDDELER:	12:18:42
3	Q. Okay. And, Mr. von Mettenheim, what do you	12:18:43
4	believe are the booster nodes in Microsoft --	12:18:46
5	Microsoft's Azure infrastructure?	12:18:49
6	MR. AIKEN: Let me give a cautionary	12:18:54
7	instruction here. I instruct the witness only to	12:18:56
8	answer to the extent he has a view outside of what	12:18:59
9	has been related to him by ParTec's external counsel	12:19:02
10	at Susman Godfrey.	12:19:07
11	A. I think I can be quite open here. I'm very	12:19:13
12	glad if I find the right button to enter a breakout	12:19:20
13	room on Zoom, and my technical knowledge in this	12:19:23
14	field is -- calling it limited would be a euphemism.	12:19:29
15	So I have no certain understanding about the	12:19:35
16	technical details of the patents in question.	12:19:38
17	Q. And, Mr. von Mettenheim, what do you believe	12:19:52
18	is a resource manager in Microsoft's Azure	12:19:54
19	infrastructure?	12:19:58
20	MR. AIKEN: Objection. Form. Scope.	12:19:58
21	Same cautionary instruction.	12:20:01
22	A. It does sound like a widget that manages	12:20:03
23	resources.	12:20:09
24	Q. And what do you believe is the resource	12:20:09
25	manager in Microsoft's Azure infrastructure?	12:20:11

1	MR. AIKEN: Same objection.	12:20:16
2	Same instructions.	12:20:17
3	A. I have no knowledge at all about the	12:20:18
4	Microsoft Azure structure other than that the people	12:20:25
5	who are competent to -- to assess that have -- are	12:20:36
6	of the opinion that it has a structure that may --	12:20:41
7	let's put it differently. Sorry.	12:20:45
8	I have no detailed knowledge about the	12:20:48
9	structure of any Microsoft product.	12:20:51
10	Q. In your view, how are booster notes assigned	12:20:56
11	to computation notes in Microsoft's Azure?	12:20:59
12	MR. AIKEN: Same objection.	12:21:07
13	Same instructions.	12:21:08
14	A. I have no knowledge about that.	12:21:10
15	Q. And do you have any knowledge about the	12:21:11
16	OpenAI supercomputer?	12:21:19
17	MR. AIKEN: Same objection.	12:21:22
18	Same instructions.	12:21:24
19	A. About what?	12:21:25
20	Q. Do you have any knowledge about the OpenAI	12:21:27
21	supercomputer?	12:21:30
22	A. No.	12:21:34
23	MR. AIKEN: Same objection. Same	12:21:34
24	instructions.	12:21:36
25	Q. Mr. von Mettenheim, do you expect to come to	12:22:00

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1	trial?	12:22:03
2	A. I haven't given that a thought.	12:22:09
3	Q. If you were to come to trial, what would you	12:22:13
4	expect to testify about?	12:22:16
5	MR. AIKEN: Objection. Scope. Form.	12:22:17
6	A. As I said, I haven't given that a thought.	12:22:21
7	Q. Mr. von Mettenheim -- go ahead.	12:22:28
8	A. Ms. Feddeler, I may not have that -- have	12:22:29
9	made that clear. I have -- in my business for	12:22:34
10	ParTec, I have nothing to do with patents or	12:22:37
11	anything of the like. I'm managing the legal side	12:22:39
12	of the daily business of our company.	12:22:43
13	Q. Mr. von Mettenheim, how did you get your job	12:22:47
14	at ParTec?	12:22:50
15	MR. AIKEN: Objection. Scope and form.	12:22:53
16	A. I -- let's try to put that in words without	12:22:57
17	violating my legal obligations under the German law.	12:23:13
18	Mr. Frohwitter and I have met on a private	12:23:18
19	basis in my former position and I was invited to	12:23:22
20	join his company.	12:23:28
21	Q. And why did you choose to join ParTec?	12:23:29
22	MR. AIKEN: Objection. Scope and form.	12:23:33
23	A. Okay. This is a question that my wife keeps	12:23:39
24	asking me from time to time. And, yeah, because	12:23:44
25	I -- I thought it was an exciting opportunity.	12:23:54

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1	States, and since we don't have employees in the	12:31:52
2	U.S., we don't have any in Texas either.	12:31:55
3	Q. And what is ParTec?	12:32:02
4	A. Who is John Galt or --	12:32:08
5	MR. AIKEN: Objection. Form.	12:32:11
6	Q. Well, how would you describe ParTec?	12:32:15
7	A. ParTec is a company who is capable of and	12:32:26
8	realizing that in certain projects,	12:32:35
9	building heterogenous supercomputers of different	12:32:43
10	capabilities and capacities, including machines	12:32:46
11	for -- or systems for artificial intelligence, for	12:32:48
12	example.	12:32:51
13	Q. And is ParTec currently profitable?	12:32:57
14	MR. AIKEN: Objection. Form and scope.	12:33:02
15	A. What do you mean by "profitable"?	12:33:08
16	Q. Does ParTec currently make a profit?	12:33:13
17	MR. AIKEN: Objection to form, scope.	12:33:16
18	A. What do you mean by "currently"?	12:33:18
19	Q. As of 2025, does ParTec make a profit?	12:33:24
20	MR. AIKEN: Objection. Form. Scope.	12:33:28
21	A. I am not informed about the numbers of 2025.	12:33:29
22	Q. Has ParTec ever built a supercomputer used	12:33:34
23	for AI training or inferencing?	12:33:38
24	MR. AIKEN: Objection. Form. Scope.	12:33:42
25	A. I have no knowledge about what the computers	12:33:44

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1	that have been built in participation with ParTec	12:33:47
2	are being used for.	12:33:51
3	Q. Has ParTec -- as of 2024, did ParTec make a	12:33:54
4	profit?	12:34:00
5	MR. AIKEN: Objection to scope, form.	12:34:01
6	A. What was the question again? Sorry.	12:34:05
7	Q. As of 2024, had ParTec made a profit?	12:34:07
8	A. I don't know of the numbers by heart, so I	12:34:13
9	wasn't prepared for this.	12:34:16
10	Q. In 2023, did ParTec make a profit?	12:34:18
11	A. Same answer.	12:34:22
12	MR. AIKEN: Objection. Form. Scope.	12:34:22
13	Q. In 2022, did ParTec make a profit?	12:34:25
14	MR. AIKEN: Same objection.	12:34:28
15	A. I don't think these -- these numbers are	12:34:29
16	public and I don't have them with me right now.	12:34:33
17	Q. So you don't know for any year that ParTec	12:34:36
18	was profitable; right?	12:34:39
19	A. No. I am -- I am the general counsel and	12:34:41
20	not the person for the finance side of the company.	12:34:45
21	MR. AIKEN: And objection to scope and form	12:34:49
22	in there.	12:34:51
23	Q. Or you don't know if ParTec was profitable	12:34:53
24	last year; right?	12:34:55
25	MR. AIKEN: Objection to scope, form.	12:34:56